

In the United States Court of Federal Claims

No. 14-690

Filed: August 4, 2020

NATHAN SOMMERS,

Plaintiff,

v.

UNITED STATES,

Defendant.

ORDER

For the reasons provided in the memorandum opinion, filed concurrently with this order, the defendant's motion to dismiss for failure to state a claim under Rule 12(b)(6) of the Rules of the Court of Federal Claims is **GRANTED**. The parties' cross-motions for judgment on the administrative record are **DENIED AS MOOT**.

The plaintiff's complaint is **DISMISSED WITH PREJUDICE**.

The Clerk is directed to enter judgment accordingly.

Each party shall bear its own costs.

It is so **ORDERED**.

s/ Richard A. Hertling

Richard A. Hertling

Judge